

# State of South Dakota

EIGHTY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 2009

400Q0733

## HOUSE LOCAL GOVERNMENT ENGROSSED NO. **HB 1253** - 2/17/2009

Introduced by: The Committee on State Affairs at the request of the Office of the Governor

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding administration of the  
2 catastrophic county poor relief fund.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 28-13A-1 be amended to read as follows:

5 28-13A-1. There is established ~~in the state treasury~~ a catastrophic county poor relief fund  
6 administered by the ~~Department of Social Services~~ South Dakota Association of County  
7 Commissioners and the board of catastrophic county poor relief. Expenditures from the fund,  
8 including the cost to administer the program, shall be ~~made in accordance with chapters 4-7, 4-~~  
9 ~~7A, 4-8, 4-8A, and 4-8B on warrants drawn by the state auditor on vouchers~~ approved by the  
10 ~~secretary of social services~~ board.

11 Section 2. That § 28-13A-6 be amended to read as follows:

12 28-13A-6. ~~Beginning January 1, 1985, any~~ Any participating county which has incurred  
13 hospital and other medical claims in excess of twenty thousand dollars for any individual  
14 eligible for county poor relief in a twelve-month period may apply to the ~~Department of Social~~  
15 ~~Services~~ board for funds from the catastrophic county poor relief fund. The application shall



1 include such information as the board of catastrophic county poor relief may prescribe.

2 Section 3. That § 28-13A-7 be amended to read as follows:

3 28-13A-7. ~~Upon recommendation of the secretary of social services, the~~ The catastrophic  
4 county poor relief board shall determine if the application is in order and the claim is justified  
5 and may approve disbursements to the county for ninety percent of any hospital and other  
6 medical claim payments the county has made for the individual in excess of twenty thousand  
7 dollars in the twelve-month period and may continue to reimburse the county for ninety percent  
8 of hospital and other medical claim payments for the individual for the remainder of that period.

9 Section 4. That § 28-13A-8 be amended to read as follows:

10 28-13A-8. Prior to January thirty-first, the ~~secretary of social services shall report to the~~  
11 board shall calculate the actual disbursements from the catastrophic poor relief fund in the  
12 previous calendar year and shall compute each participating county's share utilizing the formula  
13 established in this chapter. The board shall certify each participating county's share of the total  
14 assessment to the county auditor before January thirty-first. Each participating county shall remit  
15 its share of the catastrophic county poor relief assessment to the ~~secretary of revenue~~ South  
16 Dakota Association of County Commissioners on or before March fifteenth of each year.

17 Section 5. That § 28-13A-10 be amended to read as follows:

18 28-13A-10. If it appears to the ~~secretary of social services~~ board that the catastrophic county  
19 poor relief fund reserve is in danger of being completely depleted, ~~he shall report to the board~~  
20 ~~and may recommend~~ determine a supplemental assessment. ~~The board shall determine if a~~  
21 ~~supplemental assessment~~ is required and if so shall certify to each participating county its share  
22 as calculated by the factors included in § 28-13A-9.

23 Section 6. That § 28-13A-11 be amended to read as follows:

24 28-13A-11. The ~~secretary of revenue~~ board may accept any gifts, contributions, or funds

- 1     obtained from any other source for the purpose of carrying out the provisions of this chapter.
- 2     The administration and expenditure of these funds shall be in accordance with this chapter.